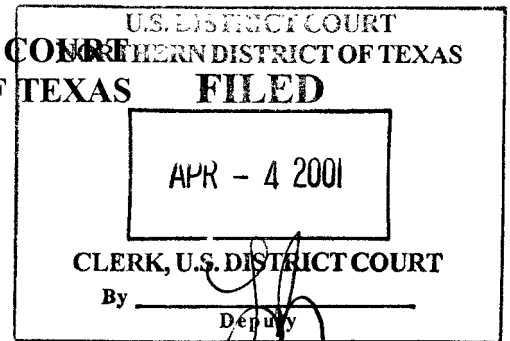


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



ROBERT N. GOLDSTEIN,

Plaintiff

v.

PHILIP ALEXANDER GORDON,
WWW.CHEATERS.COM,

Defendants

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No. 3:00-CV-0022-P

**MOTION TO SET ASIDE THE DEFAULT JUDGMENT AND DISMISS THE
ACTION FOR LACK OF PERSONAL OR *IN REM* JURISDICTION**

Pursuant to Rules 12(b)(2), (5), and 60(b) of the Federal Rules of Civil Procedure and the arguments set forth in the accompanying memorandum, www.cheaters.com and Philip Alexander Gordon, as the legal representative of www.cheaters.com, hereby move this Court for an order: 1) setting aside the default judgment; 2) returning the domain name www.cheaters.com to its lawful owner, Philip A. Gordon; and 3) dismissing the action for lack of personal or *in rem* jurisdiction over Defendants Philip Alexander Gordon and www.cheaters.com.

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Respectfully submitted:

A handwritten signature in black ink, appearing to read "Eugenia S. Hansen". The signature is written in a cursive style with a large, sweeping initial "E".

An Attorney for Phillip Gordon and
WWW.CHEATERS.COM

Eugenia S. Hansen
Texas Bar No. 08929720

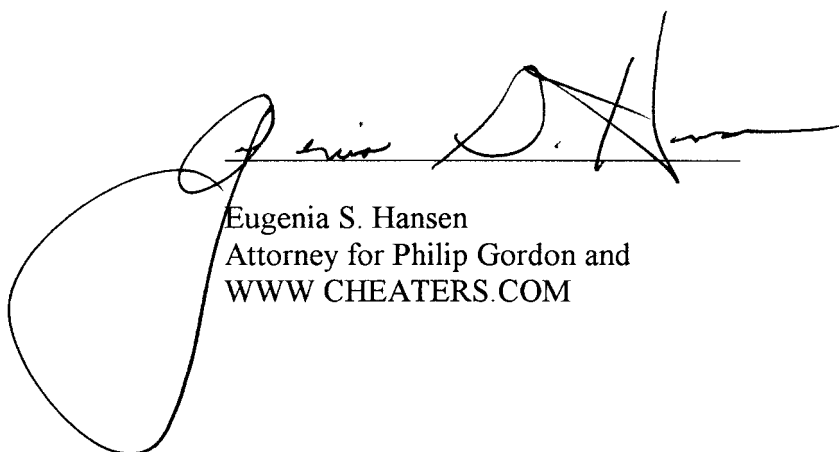
John A. Dondrea
Texas Bar No. 05973800

William Chad Shear
Texas Bar No. 24013493

Sidley & Austin
717 N. Harwood Ave. Suite 3400
Dallas, TX 75201
Telephone (214) 981-3300
Facsimile (214) 981-3400

CERTIFICATE OF CONFERENCE

Counsel for Philip Gordon has conferred with Mark Falkin, counsel for Robert N. Goldstein, regarding the issues in this motion on April 4, 2001. Agreement could not be reached and Robert N. Goldstein opposes this motion on the basis of their belief that the Default Judgment should stand.



Eugenia S. Hansen
Attorney for Philip Gordon and
WWW CHEATERS.COM

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 2001, I caused a copy of the foregoing MOTION TO SET ASIDE THE DEFAULT JUDGMENT AND DISMISS THE ACTION FOR LACK OF PERSONAL OR *IN REM* JURISDICTION to be delivered via Federal Express to:

Mark G. Falkin
Knox Central Place, Suite 1000
4627 North Central Expressway
Dallas, Texas 75205-4022

Attorney for Plaintiff Robert N. Goldstein.

Robert N. Goldstein
4516 Lovers Lane, # 104
Dallas, TX 75225



An Attorney for Philip A. Gordon and
WWW.CHEATERS.COM

Attorneys for Philip A. Gordon
and WWW.CHEATERS.COM

Eugenia S. Hansen
Texas Bar No. 08929720

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